

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA**

AARON WALKER, an individual;
YOLONDA WALKER, an individual,
vs.
Plaintiffs,

CASE NO. 08-CV-1411 H (NLS)

**ORDER DENYING AS MOOT
PLAINTIFF'S REQUEST FOR
PRELIMINARY INJUNCTION**

SPECIALIZED LOAN SERVICING, LLC, a Delaware limited liability company; DEUTSCHE BANK NATIONAL TRUST COMPANY, as TRUSTEE ON BEHALF OF THE HOLDERS OF THE TERWIN MORTGAGE TRUST 2006-9HGA, ASSET-BACKED CERTIFICATES, TMTS SERIES 2006-9HGA, an entity of unknown form; AXIS MORTGAGE & INVESTMENT, an entity of unknown form; AXIS MORTGAGE & INVESTMENTS, LLC, an Arizona limited liability company; BILTMORE BANK OF ARIZONA, a banking institution; CHASE HOME FINANCE LLC, a Delaware limited liability company; REGIONAL TRUSTEE SERVICES CORPORATION, a Washington corporation; and DOES 1-10 inclusive.

Defendants.

On August 4, 2008, plaintiffs Aaron Walker and Yolonda Walker (“Plaintiffs”) filed a complaint alleging violations of federal law, including the Truth in Lending Act, 15 U.S.C.

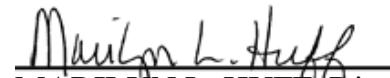
1 § 1601 et seq., and California law including the Rosenthal Act, Cal. Civ. Code §§ 1788 et seq.
2 Plaintiff has filed an ex parte application for a temporary restraining order (“TRO”) enjoining
3 Defendants from proceeding with a foreclosure sale of Plaintiffs’ property. On August 4,
4 2008, the Court denied without prejudice Plaintiff’s ex parte motion for a TRO. (Doc. No. 5.)
5 The Court directed Plaintiff to serve defendants with the complaint and all other documents
6 filed by Plaintiff, and the Court ordered briefing regarding Plaintiff’s request for a preliminary
7 injunction. (Id.)

8 On August 15, 2008, Plaintiffs filed a notice of withdrawal of Plaintiffs’ application for
9 a preliminary injunction. (Doc. No. 6.) Plaintiffs’ filing indicates that the trustee’s sale of the
10 property at issue had been cancelled.

11 In light of Plaintiffs’ filing, the Court denies as moot Plaintiffs’ motion for a
12 preliminary injunction. (Doc. No. 3.)

13 IT IS SO ORDERED.

14 DATED: August 18, 2008

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16 MARILYN L. HUFF, District Judge
17 UNITED STATES DISTRICT COURT
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